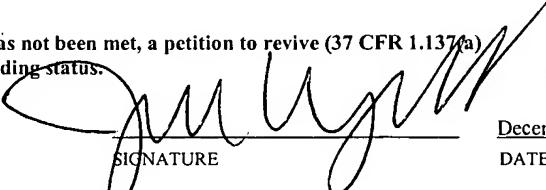


DT07 Rec'd PCT/PTO 02 DEC 2004

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| FORM PTO-1390 (REV. 10-2003) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER 016325-013800US |
| | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10A516803 To Be Assessed |
| INTERNATIONAL APPLICATION NO. PCT/US03/17941 | INTERNATIONAL FILING DATE June 4, 2003 | PRIORITY DATE CLAIMED June 4, 2002 |
| TITLE OF INVENTION METHODS OF DIAGNOSING AND TREATING DIABETES AND INSULIN RESISTANCE | | |
| APPLICANT(S) FOR DO/EO/US ALLAN, Bernard B.; LAVAN, Brian; MOODIE, Shonna; WATERS, Steve; WONG, Chi-Wai | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureauc. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input checked="" type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input type="checkbox"/> A preliminary amendment.14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information: Express Mail Label No. <u>EV 383 387 504 US</u> mailed December 2, 2004 International Publication No. WO 2003/101284 A3 (with International Search Report) International Publication No. WO 03/101284 A2 Chapter II Demand as filed with Article 34 Amendment and Sequence Listing PCT Forms - PCT/IB/304, PCT/IB/306, PCT/IB/308 & PCT/IB/332 Application Data Sheet | | |

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| U.S. APPLICATION NO. if known, see 37 CFR 1.57 To Be Assigned 107516803 | | INTERNATIONAL APPLICATION NO. PCT/US03/17941 | ATTORNEY'S DOCKET NUMBER 016325-013800US |
| <p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> | | CALCULATIONS PTO USE ONLY | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 730.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
| Total claims | 28-20 = | 8 | x \$18.00 \$ 144.00 |
| Independent claims | 4- 3 = | 1 | x \$86.00 \$ 86.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + 290.00 \$ |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 960.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | + | \$ 480.00 |
| | | SUBTOTAL = | \$ 480.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | |
| TOTAL NATIONAL FEE = | | \$ 480.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | + | \$ |
| TOTAL FEES ENCLOSED = | | \$ 480.00 | |
| | | Amount to be refunded: | |
| | | charged: | \$ 480.00 |
| a. | <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | |
| b. | <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-1430</u> in the amount of <u>\$ 480.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | |
| c. | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u> . A duplicate copy of this sheet is enclosed. | | |
| d. | <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a)) or (b) must be filed and granted to restore the application to pending status. | | | |
| SEND ALL CORRESPONDENCE TO:  SIGNATURE | | | |
| <u>December 2, 2004</u> DATE | | | |
| Jean M. Lockyer NAME | | | |
| <u>44.879</u> REGISTRATION NUMBER | | | |